UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WASHINGTON

RAYMOND ERIC ZAHLER,

Plaintiff,

v.

MICHAEL MCCARTHY, DAVID SOUKUP, GLEN WARREN, KEN IRWIN, HAL WILSON, and IMELDA BORROMEO,

Defendants.

NO. CV-09-135-JPH

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT for resolution is the Report and Recommendation entered on June 8, 2009 (Ct. Rec. $\underline{12}$), recommending that Plaintiff's Motion for Temporary Restraining Order (Ct. Rec. $\underline{3}$) be denied and that this case be dismissed without prejudice. No objections have been filed. After review, the Court adopts the magistrate judge's Report and Recommendation in its entirety.

IT IS HEREBY ORDERED that the Report and Recommendation (Ct. Rec. 12) to deny Plaintiff's Motion for Temporary Restraining Order and dismiss this action without prejudice is ADOPTED in its entirety.

| 1 | IT IS SO ORDERED. The District Court Executive is directed to enter |
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| 2 | this Order and an Order of Judgment, forward copies to counsel and |
| 3 | Plaintiff, and close the file. |
| 4 | DATED this <u>2nd</u> day of July 2009. |
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| 6 | S/ Edward F. Shea EDWARD F. SHEA |
| 7 | United States District Judge |
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